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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,231	01/22/2004	Hisaki Miyamoto	P24492	2037

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GREENBLUM & BERNSTEIN, P.L.C.
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RESTON, VA 20191

EXAMINER

MAKI, STEVEN D

ART UNIT	PAPER NUMBER
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1733

NOTIFICATION DATE	DELIVERY MODE
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08/06/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com
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<p align="center">Office Action Summary</p>	<p>Application No. 10/761,231</p>	<p>Applicant(s) MIYAMOTO ET AL.</p>	
	<p>Examiner Steven D. Maki</p>	<p>Art Unit 1733</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3) **Claims 7, 8, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Japan 630 (JP 04-139630).**

Japan 630 discloses a process comprising applying a UV curable adhesive 4 to a first disc, bringing a second disc into pressurized contact with the curable adhesive 4, tentatively fixing these discs by radiating the discs with UV rays such that the adhesive 4 is hit by the UV rays only through transparent parts (5b, 5d) and heating to cure the uncured part of the adhesive. See abstract and figures.

The claimed process is anticipated by Japan 630's process. The step of "locally irradiating the adhesive layer" reads on applying UV rays as disclosed by Japan 630.

4) **Claims 7, 8, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japan 630 (JP 04-139630) in view of Japan 235 (JP 03-198235).**

Japan 630, which is discussed above, is considered to anticipate claims 7, 8, 11 and 12. In any event: As to claims 7 and 8, it would have been obvious to one of ordinary skill in the art to "locally irradiate" the UV curable adhesive layer in Japan 630's

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process of making an optical disc since (1) Japan 630, directed to the optical disc art, teaches curing the adhesive 4 only in spots corresponding to the transparent parts (5b, 5d) in the tentative fixing step and (2) Japan 235, directed to the optical disc art, suggests providing a spot irradiating device 13 and moving a spotty UV ray 2 along the part coated with adhesive to cure the adhesive without deteriorating optical disc parts by irradiation of UV. Furthermore, one of ordinary skill in the art would readily appreciate from the teachings of Japan 235 that UV rays are beneficially not applied where there are neither needed nor desired.

As to claim 11, Japan 630 teaches heating the adhesive to complete the cure.

As to claim 12, "preventing deformation and warping" fails to require methodology not disclosed by Japan 630. In any event, it would have been obvious to one of ordinary skill in the art to prevent deformation and warping as claimed in view of Japan 235's suggestion to spread adhesive via tempered glass plate 10 and to direct the UV rays through the tempered glass plate in order to maintain the position of the parts while the adhesive is cured via the UV rays.

5) Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japan 630 (JP 04-139630) in view of Japan 235 (JP 03-198235) as applied above and further in view of at least one of Japan 242 (JP 61-292242) and Japan 137 (JP 63-213137).

As to claims 9 and 10, it would have been obvious to one of ordinary skill in the art to use a centerer as claimed in view of the suggestion from at least one of Japan

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242 and Japan 137 to improve alignment during the manufacture of an optical disc by using a "centerer" comprising "two pins".

6) Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japan 630 (JP 04-139630) in view of Japan 235 (JP 03-198235) as applied above and further in view of Japan 786 (JP 08-036786).

As to claim 13, it would have been obvious to one of ordinary skill in the art to apply a suction force as claimed since Japan 786, also directed to making an optical disc using UV curable adhesive, suggests decreasing pressure of the inner or outer periphery to remove bubbles in the adhesive to thereby obtain an excellent quality optical disc.

7) Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japan 630 (JP 04-139630) in view of Japan 235 (JP 03-198235) as applied above and further in view of at least one of Japan 474 (JP 07-282474) and Baecklund (US 4,814,198).

As to claim 14, it would have been obvious to one of ordinary skill in the art to measure a thickness of the adhesive with a sensor and determine whether the adhesive is within a tolerance range since Japan 474 and/or Baecklund suggest measuring thickness in a bonding process in order to monitor and control the thickness in order to obtain the desired quality bonded product; it being noted that Japan 474 is directed to the optical disc art and Baecklund suggests monitoring thickness of adhesive.

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Remarks

8) Applicant's arguments with respect to claims 7-14 have been considered but are moot in view of the new ground(s) of rejection.

9) No claim is allowed.

10) Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven D. Maki whose telephone number is (571) 272-1221. The examiner can normally be reached on Mon. - Fri. 8:30 AM - 5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Steven D. Maki
July 31, 2007


STEVEN D. MAKI
PRIMARY EXAMINER 7-31-07